

ABBEY, WEITZENBERG, WARREN & EMERY
MITCHELL B. GREENBERG, Esq., State Bar 114878
STEPHANIE WALKER, Esq., State Bar 252464
100 Stony Point Road, Suite 200
Post Office Box 1566
Santa Rosa, CA 95402-1566
Telephone: 707-542-5050
Facsimile: 707-542-2589

Attorneys for Defendants and Counterclaimants
STEPHAN JENKINS, an Individual;
BRADLEY HARGREAVES, an Individual;
STEPHAN JENKINS PRODUCTIONS, INC.;
3EB TOURING, INC.;
AND THIRD EYE BLIND, INC.

**UNITED STATES DISTRICT COURT,
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

ANTHONY FREDIANELLI,
Plaintiff,
v.
STEPHAN JENKINS, et al.,
Defendants.

Case No.: C 11-03232 EMC

**STIPULATION AND
[PROPOSED] ORDER
REGARDING CASH DEPOSIT
IN LIEU OF POSTING BOND**

The Honorable Edward M. Chen

STEPHAN JENKINS, an Individual;
3EB TOURING, INC., a California
Corporation;
THIRD EYE BLIND, INC., a California
Corporation; and
STEPHAN JENKINS PRODUCTIONS,
INC., a California Corporation,
Defendant/Counterclaimants,
v.
ANTHONY FREDIANELLI, an
Individual,
Plaintiff/Counterdefendant.

1 Given the Court's November 4, 2013 Order Granting Defendant's Motion to
 2 Stay Enforcement of Judgment (Document No. 311), which orders that Defendant
 3 3EB Touring, Inc. post a bond in the amount of \$447,485.34 as a condition of
 4 obtaining a stay of enforcement of judgment, and given the fact that the parties wish
 5 to ensure that the money is secure and is more easily accessible once final
 6 disposition of the money is determined, Plaintiff Anthony Fredianelli and
 7 Defendant 3EB Touring, Inc., through their respective counsel of record, do hereby
 8 stipulate as follows:

9 1. Defendant 3EB Touring, Inc. will deposit the sum of \$447,485.34 into
 10 a bank account with the San Francisco branch of City National Bank, into an
 11 account entitled "Mitchell B. Greenberg and Joseph W. Singleton Attorney Client
 12 Trust Account FBO Stephan Jenkins," account number 432915506.

13 2. No funds may be withdrawn from the above-described bank account
 14 number 432915506 absent either (a) both the signatures of counsel for Plaintiff,
 15 Mr. Joseph Singleton, on the one hand, and counsel for 3EB Touring, Inc., Mr.
 16 Mitchell Greenberg, on the other hand or (b) further order of this Court.

17
 18 **IT IS SO STIPULATED.**

19 Dated: November 22, 2013. ABBEY, WEITZENBERG, WARREN & EMERY

20
 21 By: /s/. Mitchell B Greenberg
 22 Mitchell B. Greenberg,
 23 Attorneys for Defendants
 24 STEPHAN JENKINS, an Individual;
 25 BRADLEY HARGREAVES, an Individual;
 26 THIRD EYE BLIND, INC.;
 27 3EB TOURING, INC.
 28 STEPHAN JENKINS PRODUCTIONS,
 INC.

1 Dated: November 22, 2013. JOSEPH W. SINGLETON, ESQ.

2
3 By: /s/ Joseph W. Singleton
4 Attorney for Plaintiff
ANTHONY FREDIANELLI

5
6
7 **ATTESTATION OF CONCURRENCE**

8 I, Mitchell B. Greenberg, as the ECF user and filer of this document, attest
9 that, pursuant to General Order No. 45(X)(B), concurrence in the filing of this
10 document has been obtained from the above signatories.

11
12 Dated: November 22, 2013. ABBEY, WEITZENBERG, WARREN & EMERY

13
14 By: /s/. Mitchell B Greenberg
15 Mitchell B. Greenberg,
16 Attorneys for Defendants
17 STEPHAN JENKINS, an Individual;
18 BRADLEY HARGREAVES, an Individual;
19 THIRD EYE BLIND, INC.;
20 3EB TOURING, INC.
21 STEPHAN JENKINS PRODUCTIONS,
22 INC.

23
24
25
26
27
28
ABBey, WEITZENBERG, WARREN & EMERY, P.C.
100 Stony Point Road, Suite 200, P.O. Box 1566, Santa Rosa, CA 95402-1566
Telephone: (707) 542-5050 Facsimile (707) 542-2589

[PROPOSED] ORDER

PURSUANT TO THE ABOVE STIPULATION, IT IS HEREBY
ORDERED that:

1. Defendant 3EB Touring, Inc. will deposit the sum of \$447,485.34 into a bank account with the San Francisco branch of City National Bank, into an account entitled "Mitchell B. Greenberg and Joseph W. Singleton Attorney Client Trust Account FBO Stephan Jenkins," account number 432915506.

2. No funds may be withdrawn from the above-described bank account absent either (a) both the signatures of counsel for Plaintiff, Mr. Joseph Singleton, on the one hand, and counsel for 3EB Touring, Inc., Mr. Mitchell Greenberg, on the other hand or (b) further order of this Court.

IT IS SO ORDERED.

Dated: 11/26/13

